

PTO SB/21 (09-04)
JUN 20 2007
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TRANSMITTAL FORM

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Total Number of Pages in This Submission

3

Application Number

10/716,174

Filing Date

November 17, 2003

First Named Inventor

Quan Nguyen

Group Art Unit

1641

Examiner Name

Melanine J. Yu

Attorney Docket Number

70-000150US

ENCLOSURES (check all that apply)

- ☐ Fee Transmittal Form
☐ Fee Attached
☐ Amendment / Response
☐ Amendment and Request for Reconsideration
☐ Affidavits/declaration(s)
☐ Extension of Time Request
☒ Receipt Acknowledgement Postcard
☐ Information Disclosure Statement
☐ Certified Copy of Priority Document(s)
☐ Response to Missing Parts/ Incomplete Application
☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ PTO-1449 Form
☐ Cited References
☐ Copy of PCT Search Report
☐ Copy of EP Search Report
☐ Petition to Convert to a Provisional Application
☐ Power of Attorney, Revocation Change of Correspondence Address
☐ Terminal Disclaimer
☐ Small Entity Statement
☐ Request for Refund

- ☒ Interview Summary
☐ Request for Continued Examination (RCE)
☐ Request for Corrected Filing receipt
☐ Copy of Filing Receipt - marked up
☐ Status Letter
☐ Additional Enclosure(s) (please identify below):

Authorization to Charge Deposit Account

Please charge Deposit Account No. 50-0893 for any additional fees associated with this paper or during the pendency of this application, including any extensions of time for consideration of the documents enclosed.

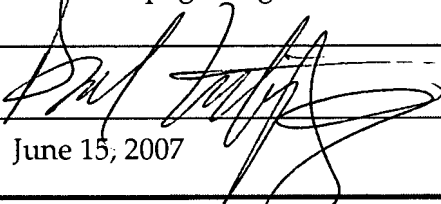
Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

Paul Littlepage, Reg. No. 48,581, Quine Intellectual Property Law Group, P.C.

Signature



Date

June 15, 2007

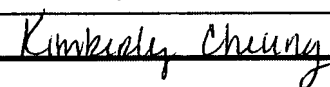
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Typed or printed name

Kimberly Cheung

Signature



Date

June 15, 2007



CERTIFICATE OF MAILING

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QUINE INTELLECTUAL PROPERTY LAW GROUP, P.C.

By: _____

Kimberly Cheung

Appl. No. : 10/716,174
Applicant : Quan Nguyen, et al.
Filed : November 17, 2003
TC/A.U. : 1641
Examiner : Melanie J. Yu

Confirmation No. 3901

Docket No. : 70-000150US
Customer No. : 22798

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

APPLICANTS' INTERVIEW SUMMARY

Dear Sir:

Applicants provide herewith the following Interview Summary to be made of record in the above-identified case:

Participants: Melanie Yu, Long Le, and Monica Elrod Erickson

Date of Interview: May 3, 2007

Interview Type: Telephonic

Exhibit shown or demonstration conducted: Not applicable

Agreement: Not reached

Claims discussed: Claims 1, 21, 27, 29, 34, 36, 43, and 45

Description of the general nature of what was agreed to if an agreement was reached, or any other comments:

Applicants note that the substance of the interview was included in a response to the last Office Action, filed May 3, 2007 before the mailing date of the Examiner's Interview Summary. However, the substance of the interview is also briefly outlined below.

The claim rejections under 35 USC 112, second paragraph, for alleged indefiniteness were discussed. With respect to claims 21, 29, 36, and 45, Applicants noted these claims were initially multiply dependent on claims 1 and 2 and were rewritten in independent form on the Examiner's previous indication of allowability. Applicants suggested separating the two options in each of these claims into separate independent claims to clarify the two options. With respect to claims 27, 34, and 43, Applicants directed the Examiner's attention to claims 26, 33, and 42, from which these claims depend and which provide the necessary antecedent basis and explanation for the limitation "the second caging groups."

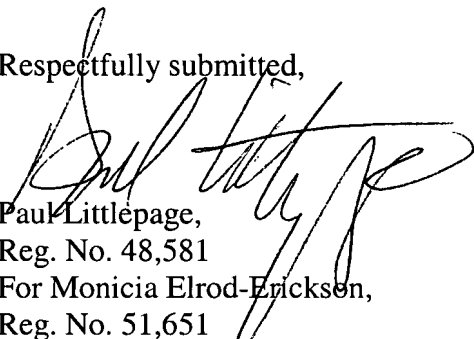
The art by Ting, Burbaum, and Walker was discussed with respect to the rejections of claims 1, 21, and 29 under 35 USC 103 and lack of motivation to combine these references. Applicants noted that the constructs of Ting are expressed *in vivo* from recombinant nucleic acid constructs, while the caged substrates of Burbaum and the caged peptides of Walker are chemically synthesized *in vitro*; there is thus no motivation to combine these references. In addition, *prima facie* obviousness cannot be established where the proposed combination of references changes the principle of operation of the prior art invention being modified, but combining the constructs of Ting with the techniques of Burbaum and Walker would require the constructs to be chemically synthesized, thus changing their principle of operation.

Applicants are providing this Applicants' Interview Summary in response to the Interview Summary mailed May 18, 2007. As such, Applicants are responding within the ONE MONTH provided by the Interview Summary. A response to the Office Action has previously been provided in a separate document, mailed May 3, 2007.

If the Examiner believes a telephone conference would further expedite prosecution of this application, please telephone Monica Elrod-Erickson at 510-337-7871.

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Respectfully submitted,


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